

HOUSE RESEARCH ORGANIZATION • TEXAS HOUSE OF REPRESENTATIVES

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# HOUSE RESEARCH ORGANIZATION

## daily floor report

Tuesday, March 24, 2015  
84th Legislature, Number 37  
The House convenes at 10 a.m.

Two bills are on the daily calendar for second-reading consideration today:

HB 441 by Gonzales	Extending the period to use a court order as a restricted driver's license	1
HB 900 by Isaac	Adding eligible organizations to the Major Events Trust Fund	3

The following House committees had public hearings scheduled for 8 a.m.: Appropriations in Room E1.030; Environmental Regulation in Room E1.026; Homeland Security and Public Safety in Room E2.014; Public Health in Room E2.012; and the Transportation subcommittee on Long-term Infrastructure Planning in Room E1.014. The Ways and Means Committee had a public hearing scheduled for 8:30 a.m. in Room E2.010. The Urban Affairs Committee has a public hearing scheduled for 10:30 a.m. or on adjournment in Room E2.028. The Business and Industry Committee has a public hearing scheduled for 11:30 a.m. or on adjournment in Room E2.016. The following House committees have public hearings scheduled for 2 p.m. or on adjournment: Culture, Recreation and Tourism in Room E1.010; Judiciary and Civil Jurisprudence in Room E2.026; and Public Education in Room E2.036.



Alma Allen  
Chairman  
84(R) - 37

**SUBJECT:** Extending the period to use a court order as a restricted driver's license

**COMMITTEE:** Homeland Security and Public Safety — favorable, without amendment

**VOTE:** 8 ayes — Phillips, Nevárez, Burns, Dale, Metcalf, Moody, M. White, Wray

0 nays

1 absent — Johnson

**WITNESSES:** For — (*Registered, but did not testify:* Traci Berry, Goodwill Central Texas; Lori Henning, Texas Association of Goodwills; Kristin Etter, Texas Criminal Defense Lawyers Association; Sarah Pahl, Texas Criminal Justice Coalition)

Against — None

On — (*Registered, but did not testify:* Cheryl Garren, Texas DPS)

**BACKGROUND:** Transportation Code, sec. 521.242 allows a person whose driver's license has been suspended or canceled under certain circumstances to file a petition for an occupational driver's license. A judge may grant an occupational driver's license if the petitioner has an essential need to drive a car, as defined in sec. 521.241, for reasons related to work, education, or essential household duties.

Under sec. 521.249(a), a person may use a copy of a court order granting an occupational driver's license as a restricted driver's license until the 31st day after the effective date of the order.

**DIGEST:** HB 441 would extend the time that a copy of a court order granting an occupational driver's license could be used as a restricted driver's license from the 31st to the 45th day after the effective date of the order.

The bill would take effect September 1, 2015.

**SUPPORTERS  
SAY:**

HB 441 would give people waiting for an occupational driver's license from the Department of Public Safety (DPS) more time to use a court order as a restricted license, minimizing the risk of the court order expiring during the wait period. DPS would have an extra two weeks to process the paperwork for occupational driver's licenses, and those waiting for a license would not have to worry about their court order lapsing during that period.

The bill would lower employment barriers for people who have a suspended or canceled driver's license, including some who recently were incarcerated and are reentering the workforce. Employers more confidently could hire individuals with a restricted license knowing that they legally could drive to work while waiting for an official occupational driver's license from DPS.

People applying for an occupational driver's license also would have more time to provide the necessary paperwork and fees to DPS. Applicants who wait until the last minute to submit their paperwork are responsible for a lapsed license, but those who timely submit their paperwork should not be penalized for DPS being backlogged. This bill would ensure that individuals waiting for an occupational driver's license were not hampered by a process they cannot control.

**OPPONENTS  
SAY:**

Under HB 441, last-minute submissions still would result in lapsed licenses because many people still would procrastinate in submitting paperwork and DPS can process paperwork only once they receive it.

**SUBJECT:** Adding eligible organizations to the Major Events Trust Fund

**COMMITTEE:** Economic & Small Business Development — favorable, without amendment

**VOTE:** 7 ayes — Button, Johnson, Faircloth, Isaac, Metcalf, E. Rodriguez, Villalba

0 nays

2 absent — C. Anderson, Vo

**WITNESSES:** For — (*Registered, but did not testify*: Dana Harris, Austin Chamber of Commerce; Galt Graydon, Circuit of the Americas; TJ Patterson, City of Fort Worth; Ron Hinkle, Texas Association of Campground Owners; Brian Sullivan, Texas Hotel & Lodging Association; Neal “Buddy” Jones, Texas Motor Speedway; Monty Wynn, Texas Municipal League; Homero Lucero, Texas Travel Industry Association)

Against — None

On — (*Registered, but did not testify*: Korry Castillo, Texas Comptroller of Public Accounts)

**BACKGROUND:** The Major Events Trust Fund provides an economic incentive for organizations to host large events in Texas. The comptroller estimates the amount of state and local tax revenue to be generated by an event, and this amount is set aside in the trust fund to defray the cost of hosting the event. An event must be listed under Vernon’s Texas Civil Statutes, art. 5190.14, sec. 5A to be eligible.

In 2013, the Legislature enacted SB 1678 to amend the Major Events Trust Fund Act by adding events and organizations eligible for the reimbursement, modifying the payment procedure, adding transparency requirements, and adding a clawback provision.

**DIGEST:** HB 900 would expand the list of eligible site selection organizations in the

Major Events Trust Fund Act to include ESPN or an affiliate, the National Association for Stock Car Auto Racing (NASCAR), and the Ultimate Fighting Championship.

This bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2015.

**SUPPORTERS  
SAY:**

HB 900 is necessary to maintain and advance the economic benefits that Texas garners from hosting large events.

Texas has hosted two major NASCAR races since 2007, but the state should not take for granted its recent success in holding these events. NASCAR is an increasingly popular sport, and other states are beginning to put together competitive packages to lure these races away. In recent years, Georgia lost one of its NASCAR events to Nevada because of a competitive incentives package Nevada offered.

Ultimate Fighting Championship is the largest mixed-martial arts promotion company in the world, and the sport's events are not only highly sought after by other states, but by other countries as well. This bill would make Texas competitive nationally and internationally when pursuing these events.

SB 1678, enacted by the 83rd Legislature in 2013, intended to add events hosted by NASCAR, ESPN, and the Ultimate Fighting Championship to the list of eligible events but did not include the respective site selection organizations. HB 900 merely would follow through on the earlier intention. SB 1678 had wide bipartisan support and passed unanimously in the Senate and 145-2 in the House.

**OPPONENTS  
SAY:**

The Major Events Trust Fund has experienced transparency and oversight flaws in the past, and HB 900 would add to the problem by increasing the number of events eligible to receive reimbursements. While the bill enacted in 2013 addressed many of the accountability concerns, further reforms should be made before expanding the list of eligible events.

By increasing the number of site selection committees eligible for

reimbursement under the Major Events Trust Fund, the bill also would require the Comptroller of Public Accounts to create more rules and procedures and spend more time responding to public information requests, increasing its workload without additional funding.

NOTES:

The Legislative Budget Board's fiscal note said the fiscal impact of the bill could not be determined at this time and would depend on the number and size of events covered under the bill.